

ATLANTA CITY COUNCIL

ACTION/MINUTES

JUNE 30, 2011

The Atlanta City Council held a Special Called Meeting on Thursday, June 30, 2011. The Meeting convened at 9:29 a.m. in the Council Chambers at City Hall. The roll was called and a quorum was declared.

PRESIDER: The Honorable Council President Ceasar C. Mitchell presided. The Honorable Council President Pro Tempore Joyce M. Sheperd presided a portion of the meeting.

Attendance:

The following (15) voting members were present at the Meeting:

The Honorable Carla Smith	The Honorable Felicia A. Moore
The Honorable Kwanza Hall	The Honorable C. T. Martin
The Honorable Ivory L. Young, Jr.	The Honorable Keisha Bottoms *9:32
The Honorable Cleta Winslow *9:36	The Honorable Joyce Sheperd
The Honorable Natalyn Archibong *9:32	The Honorable Michael Bond *10:04
The Honorable Alex Wan	The Honorable Aaron Watson *9:34
The Honorable Howard Shook	The Honorable H. Lamar Willis
The Honorable Yolanda Adrean	

***Arrival Time – indicates arrival after convening roll call.**

INVOCATION: Chaplain J. C. Polite, Jr. of the Atlanta Police Department gave the invocation.

PLEDGE OF ALLEGIANCE: In unison, the Council recited the Pledge of Allegiance to the flag of the United States of America.

THE ADOPTION OF THE AGENDA: Councilmember Martin made a Motion to Adopt the Agenda. It was properly Seconded and the Motion **CARRIED** by a roll call vote of **13 yeas; 0 nays**.

COMMUNICATIONS

Council President Ceasar C. Mitchell Presided

COMMUNICATIONS

11-C-1001 (1) A Communication by **Council President Ceasar C. Mitchell** calling for a Special Called Meeting of the Atlanta City Council on Thursday, June 30, 2011 at 9:00 a.m. to consider the following legislation: (11-O-0638, 11-O-0747, 11-O-0748).

FILED WITHOUT OBJECTION

11-TR-1003 (2) A Communication by **Budget Commission to President Ceasar C. Mitchell and Members of Council** submitting the City of Atlanta 2012 Budget Commission Report.

ACCEPTED AND FILED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

COMMITTEE REPORT

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORT

FINANCE/EXECUTIVE COMMITTEE (1)
YOLANDA ADREAN, CHAIR

ORDINANCES

11-O-0638 (1) An **Amended** Ordinance by **Finance/Executive Committee** adopting the Fiscal Year 2012 Proposed Budget, to include all funds; and for other purposes.

Councilmember Adrean made a Motion to Table Ordinance 11-O-0638 at the Regularly Scheduled meeting held June 20, 2011. Without Objection, the Motion CARRIED by a roll call vote of 14 yeas; 0 nays. During this meeting Councilmember Martin made a Motion to remove the following three (3) ordinances 11-O-0638, 11-O-0747 and 11-O-0748 off the Table. It was Seconded by Councilmember Moore and the Motion CARRIED by a roll call vote of 13 yeas; 0 nays. All three (3) ordinances were before Council. Following, Municipal Clerk Rhonda Dauphin Johnson sounded the caption to Ordinance 11-O-0638. Councilmember Adrean was then recognized and offered to bring forth a Substitute. It was Seconded by Councilmember Martin and a discussion ensued, in which, Councilmember Moore made a Substitute Motion to Amend by striking "substitute" and inserting "Amended." It was properly Seconded and Moore Amendment #1/#1 CARRIED by a unanimous roll call vote of 15 yeas; 0 nays. Another discussion ensued, during which, Council deferred the item to later during the meeting. Returning back to Ordinance 11-O-0638, Councilmember Martin made a Motion to Adopt. It was Seconded by Councilmember Shook and Amendments were then offered. Councilmember Martin offered Amendment #1/#2 then upon further discussion omitted his Amendment. Following, Councilmember Adrean offered Amendment #1/#2 to Section #1 Restoration of Amendments (1-4). It was Seconded by Councilmember Wan and CARRIED by a roll call vote of 14 yeas; 0 nays. Councilmember Martin offered Amendment #1/#3 adding the Department of Recreation in Section #2. It was properly Seconded and CARRIED by a roll call vote of 13 yeas; 0 nays. A discussion ensued, during which, Councilmember Sheperd offered Amendment #1/#4 in Section #3 by adding the Department of Planning and Community Development. It was properly Seconded and CARRIED by a roll call vote of 13 yeas; 0 nays.

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORT (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (2)
YOLANDA ADREAN, CHAIR

ORDINANCES (CONT'D)

11-O-0638 (1)
(Cont'd) An **Amended** Ordinance by **Finance/Executive Committee** adopting the Fiscal Year 2012 Proposed Budget, to include all funds; and for other purposes.

Councilmember Martin offered Amendment #2/#5 to include Outside Counsel in the Law Department. It was properly Seconded and CARRIED by a roll call vote of 13 yeas; 0 nays. Councilmember Martin offered Amendment #3/#6 in the Department of Human Resources for an Employee Assistant Program Contract. It was properly Seconded and CARRIED by a roll call vote of 13 yeas; 0 nays. Councilmember Martin offered Amendment #4/#7 to add the milling operations in the Department of Public Works. It was properly Seconded and CARRIED by a roll call vote of 13 yeas; 0 nays. Councilmember Martin offered Amendment #5/#8 to add General Supplies in the Department of Public Works. It was properly Seconded and CARRIED by a roll call vote of 13 yeas; 0 nays. Councilmember Martin offered Amendment #6/#9 to add Constituent Services in an amount of \$25,000. It was properly Seconded and CARRIED by a roll call vote of 10 yeas; 1 nay. Councilmember Martin offered Amendment #7/#10 by adding executive offices in the amount of \$600,000. It was Seconded by Councilmember Winslow and CARRIED by a roll call vote of 9 yeas; 3 nays. Councilmember Martin/Winslow offered Amendment #8/#11 in Section #5 to authorize the Fire and Rescue in the amount of \$500,000 and \$481,861.00 in overtime. It was properly Seconded and CARRIED by a roll call vote of 13 yeas; 0 nays. Discussion continued, during which, Councilmember Shook offered Amendment #1/#12 to decrease money in the Atlanta Development Authority and place it towards the Public Works Department for street pavements. As discussion ensued, Shook Amendment #1/#12 FAILED by a roll call vote of 3 yeas; 11 nays. Councilmember Adrean offered Amendment #2/#13 to remove Martin's Amendment (#8/#11) which restored the Fire and Rescue in the amount of \$500,000 and \$481,861.00 in overtime. It was Seconded by Councilmember Martin and CARRIED by a roll call vote of 13 yeas; 0 nays. Councilmember Young

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORT (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (3)
YOLANDA ADREAN, CHAIR

ORDINANCES (CONT'D)

11-O-0638 (1)
(Cont'd) An **Amended** Ordinance by **Finance/Executive Committee** adopting the Fiscal Year 2012 Proposed Budget, to include all funds; and for other purposes.

offered Amendment #1/#14 to add funding for Judicial Agencies and Ethics. It was Seconded by Councilmember Martin and CARRIED by a roll call vote of 14 yeas; 0 nays. Councilmember Martin offered Amendment #9/#15 to add repairs for the Atlanta Fire and Police Departments. It was Seconded by Councilmember Moore and CARRIED by a roll call vote of 14 yeas; 0 nays. Councilmember Watson offered Amendment #1/#16 to add \$450,000 to implement pension reform and \$400,000 for the Enterprise Funds. It was properly Seconded and after discussion, the Watson Amendment #1/#16 CARRIED by a roll call vote of 8 yeas; 4 nays. Following, Councilmembers Moore, Adrean, Wan and Sheperd offered Amendment #2/#17 to place in reserves compensation for employees in the amount of 2,381,281.00. It was Seconded by Councilmember Adrean and CARRIED by a roll call vote of 12 yeas; 0 nays. Councilmember Shook offered Amendment #2/#18 to amend in the 7th Whereas Clause- delete and replace with "Whereas, the appropriations of capital budgets herein may require adjustments upon completion of final audited numbers based on the comprehensive annual financial report; and amend Section #6 to read at the office level in the last sentence." It was properly Seconded and CARRIED by a roll call vote of 13 yeas; 0 nays. Councilmember Martin then made a Motion to Adopt as Amended. It was properly Seconded and CARRIED by a roll call vote of 13 yeas; 1 nay.

ADOPTED AS AMENDED BY A ROLL CALL VOTE OF 13 YEAS; 1 NAY

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORT (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (4)
YOLANDA ADREAN, CHAIR

ORDINANCES (CONT'D)

- 11-O-0747 (2) A **Substitute** Ordinance by **Finance/Executive Committee** to amend Section 146-26 (b), (c), (d), (e) and (f) of the Code of Ordinances of the City of Atlanta, so as to change the Ad Valorem Tax Rate of Real and Personal Property for the General Levy, Debt Levy, City Parks Levy, School Operating Levy, School Debt Levy and the Special Tax District Levy; to provide that the Tax Rates established herein shall remain fixed each year until amended or repealed; and for other purposes.

At the Regularly Scheduled meeting held June 20, 2011, Councilmember Adrean made a Motion to Table Ordinance 11-O-0747 for this Special Called Meeting. It was properly Seconded and the Motion CARRIED by a roll call vote of 14 yeas; 0 nays. During this meeting Councilmember Martin made a Motion to remove the following three (3) ordinances 11-O-0638, 11-O-0747 and 11-O-0748 off the Table. It was Seconded by Councilmember Moore and the Motion CARRIED by a roll call vote of 13 yeas; 0 nays. All three (3) ordinances were before Council. Following, Councilmember Martin made a Motion to Adopt on Substitute Ordinance 11-O-0747. It was properly Seconded and the ordinance was then sounded by Municipal Clerk Rhonda Dauphin Johnson. After which, an extensive discussion ensued. Thereafter, the Motion to Adopt on Substitute was CARRIED by a roll call vote of 13 yeas; 0 nays.

ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

- 11-O-0748 (3) A **Substitute** Ordinance as **Amended** by **Finance/Executive Committee** to amend Chapter 114, Personnel, Article "IV," Classification Plan of the Code of Ordinances, City of Atlanta, Georgia, so as to provide for certain position abolishments, creations, reclassifications, class abolishments, class creations, class title amendments, above entry authorizations, employee salary adjustments, salary grade amendments, position transfers, position funding allocation changes and other personnel actions in line with the 2012 Budget; and for other purposes.

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORT (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (5)
YOLANDA ADREAN, CHAIR

ORDINANCES (CONT'D)

11-O-0748 (3)
(Cont'd) At the Regularly Scheduled meeting held June 20, 2011, Councilmember Adrean made a Motion to Table the above ordinance for this Special Called Meeting. Properly Seconded, the Motion CARRIED by a roll call vote of 14 yeas; 0 nays. During this meeting, Councilmember Martin made a Motion to remove the following three (3) ordinances 11-O-0638, 11-O-0747 and 11-O-0748 off the Table. It was Seconded by Councilmember Moore and the Motion CARRIED by a roll call vote of 13 yeas; 0 nays. All three (3) ordinances were before Council. Following, Councilmember Martin made a Motion to enter Committee of the Whole to have Commissioner Yvonne Cowser Yancy of Human Resources address the Council. It was Seconded by Councilmember Moore and the Motion CARRIED by a roll call vote of 14 yeas; 0 nays. Council then entered Committee of the Whole.

Council President Pro Tempore Joyce M. Sheperd Presided

COMMITTEE OF THE WHOLE

In Committee of the Whole, Council entertained questions to Commissioner Yvonne Cowser Yancy, Department of Human Resources; Deputy Chief Wilmond Meadows, Atlanta Fire Department; Chief Operating Officer Peter Aman, Mayor's Office; Deputy Chief Operating Officer Duriya Farooqui, Mayor's Office; Commissioner Richard Mendoza, Department of Public Works and Commissioner George Dusenbury, Department of Parks, Recreation & Cultural Affairs. After all concerns were addressed, a Motion to re-enter Regular Session was moved. Properly Seconded, the Motion CARRIED by a roll call vote of 11 yeas; 0 nays. Council re-entered Regular Session. Councilmember Moore then made a Motion to Recess until 1:00p.m. It was properly Seconded and CARRIED by a roll call vote of 11 yeas; 0 nays. Returning from Recess, a Motion to Reconvene was made. The Motion was properly Seconded and CARRIED by a roll call vote of 10 yeas; 0 nays. Council re-entered Regular Session.

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORT (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (6)
YOLANDA ADREAN, CHAIR

ORDINANCES (CONT'D)

11-O-0748 (3)
(Cont'd) A Substitute Ordinance as Amended by Finance/Executive Committee to amend Chapter 114, Personnel, Article "IV," Classification Plan of the Code of Ordinances, City of Atlanta, Georgia, so as to provide for certain position abolishments, creations, reclassifications, class abolishments, class creations, class title amendments, above entry authorizations, employee salary adjustments, salary grade amendments, position transfers, position funding allocation changes and other personnel actions in line with the 2012 Budget; and for other purposes.

REGULAR SESSION

During Regular Session, an extensive discussion ensued, in which, Councilmember Martin made a Motion to Adopt. It was Seconded by Councilmember Moore and discussion continued. Councilmember Martin then offered Amendment #1/#1 to Amend Section #4 City Council/President of Council by creating a position Management Analyst Principal. It was properly Seconded and after a brief discussion, Martin Amendment #1/#1 CARRIED by a roll call vote of 12 yeas; 0 nays. Councilmember Archibong offered Amendment #1/#2 by creating a position in the Department of Council/Communications. It was properly Seconded and CARRIED by a roll call vote of 12 yeas; 0 nays. Councilmember Adrean offered Amendment #1/#3 to make adjustments in certain positions. It was Seconded by Councilmember Martin and Adrean Amendment #1/#3 CARRIED by a roll call vote of 12 yeas; 0 nays. Councilmember Bond offered Amendment #1/#4 to Section #20 to give a 1% COLA for all employees across the board. It was Seconded by Councilmember Martin and a discussion ensued, during which, Councilmember Adrean made a Substitute Motion to set aside money until August to allow raises for employees. Discussion continued, in which, Councilmember Adrean withdrew her Substitute. Councilmember Smith added a Friendly Amendment to Councilmember's Bond Amendment to implement the COLA in six (6) months. It was accepted by Councilmember Bond and discussion continued.

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORT (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (7)
YOLANDA ADREAN, CHAIR

ORDINANCES (CONT'D)

11-O-0748 (3)
(Cont'd) A **Substitute Ordinance as Amended** by **Finance/Executive Committee** to amend Chapter 114, Personnel, Article "IV," Classification Plan of the Code of Ordinances, City of Atlanta, Georgia, so as to provide for certain position abolishments, creations, reclassifications, class abolishments, class creations, class title amendments, above entry authorizations, employee salary adjustments, salary grade amendments, position transfers, position funding allocation changes and other personnel actions in line with the 2012 Budget; and for other purposes.

Councilmember Watson then made a Motion to enter Committee of the Whole. It was Seconded by Councilmember Moore and the Motion CARRIED by a roll call vote of 11 yeas; 2 nays. Council re-entered Committee of the Whole.

COMMITTEE OF THE WHOLE

In Committee of the Whole, Council entertained questions to Chief Operating Officer Peter Aman. After all concerns were responded to, a Motion to re-enter Regular Session was made. Properly Seconded, the Motion CARRIED by a roll call vote of 12 yeas; 0 nays. Council re-entered Regular Session.

REGULAR SESSION

During Regular Session, Councilmember Bond withdrew his Amendment #1/#4 and likewise Councilmember Martin withdrew his Second. As discussion continued, Councilmember Martin offered Amendment #2/#4 to set aside one million dollars for a performance bonus to occur January 01, 2012. It was properly Seconded and Martin Amendment #2/#4 CARRIED by a roll call vote of 11 yeas; 2 nays. Councilmember Adrean offered Amendment #2/#5 to create a position for the new pension plan. It was properly Seconded and a brief discussion ensued. After which, Councilmember Shook Called the Question. Without Objection, the Motion CARRIED by a roll call vote of 11 yeas; 0 nays. Adrean Amendment #2/#5, subsequently, CARRIED by a roll

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORT (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (8)
YOLANDA ADREAN, CHAIR

ORDINANCES (CONT'D)

11-O-0748 (3)
(Cont'd)

A **Substitute Ordinance as Amended** by **Finance/Executive Committee** to amend Chapter 114, Personnel, Article "IV," Classification Plan of the Code of Ordinances, City of Atlanta, Georgia, so as to provide for certain position abolishments, creations, reclassifications, class abolishments, class creations, class title amendments, above entry authorizations, employee salary adjustments, salary grade amendments, position transfers, position funding allocation changes and other personnel actions in line with the 2012 Budget; and for other purposes.

call vote of 12 yeas; 1 nay. Council then deferred the ordinance to later during the meeting. Returning back to Ordinance 11-O-0748, Councilmember Moore offered Amendment #1/#6 to delete the Martin Amendment (#2/#4) for one million dollars set aside for a performance bonus. It was properly Seconded and CARRIED by a roll call vote of 12 yeas; 2 nays. A Motion to Adopt on Substitute as Amended was then made. Properly Seconded, the Motion CARRIED by a roll call vote of 12 yeas; 2 nays.

ADOPTED SUBSTITUTE AS AMENDED BY A ROLL CALL VOTE OF 12 YEAS; 2 NAYS

ADJOURNMENT

Council President Ceasar C. Mitchell Presided

ADJOURNMENT

There being no further business to discuss, the June 30, 2011 Special Called Meeting of the Atlanta City Council was adjourned at 5:43 p.m.

ADJOURNMENT ROLL CALL: Council President Ceasar C. Mitchell (1); Councilmembers Smith, Hall, Young, Winslow, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd, Bond, Watson and Willis (14); the attendance of Councilmember Archibong was not signified upon the adjourning roll call (1).